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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,757	01/16/2004	Hubert Hauser	HOE-794	8347
20028	7590	11/16/2005	EXAMINER	
Lipsitz & McAllister, LLC 755 MAIN STREET MONROE, CT 06468			NGUYEN, JIMMY	
			ART UNIT	PAPER NUMBER
			2829	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

ck

Office Action Summary	Application No. 10/759,757	Applicant(s) HAUSER ET AL	
	Examiner Jimmy Nguyen	Art Unit 2829	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2005.
- 2a) ☐ This action is FINAL.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-57 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>0604</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restriction

The examiner is hereby re-joint all the claims.

Specification

1. The specification is objected to because
 - Page 18 " speed controller 108: is not found
 - Page 18 " contact pins 28" is not found

Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 – 57 are rejected under 35 U.S.C. 102(e) as being anticipated by Takagi et al (US 6,642,739).

As to claims 1, 12, 26, 33, Takagi et al disclose (figs 1, 2) measuring device (54, 58) for electric motors, in particular spindle motors (21), comprising a motor mount (44, fig 1), in which the electric motor (21) to be tested can be positioned on the stator side for the measurement, and a first runout measuring device, which has at least a first

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runout sensor (53) and with which a runout in a first direction can be sensed on a rotor of the electric motor (21) held in the motor mount (44), a second runout measuring device which has at least a second runout sensor (48, 49) and with which a runout of the rotor in a second direction, extending transversely in relation to the first direction, can be measured at the same time as the runout in the first direction.

As to claim 2, Takagi et al disclose (figs 1, 2) measuring device according to claim 1, wherein the first runout sensor (53) and the second runout sensor (48,49) are contactless sensors.

As to claim 3, Takagi et al disclose (figs 1, 2) measuring device according to claim 2, wherein the first runout sensor (53) and the second runout sensor (48, 49) are capacitive sensors.

As to claims 4, 5, 34, 35, Takagi et al disclose (figs 1, 2) measuring device according to claim 3, wherein a carrier frequency of the first runout sensor (53) and a carrier frequency of the second runout sensor (48, 49) operate with a phase shift opposition.

As to claims 6, 36, Takagi et al disclose (figs 1, 2) measuring device according to claim 1, wherein the first runout sensor (53) is mounted on a first sensor (53)

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advancing unit (throughout the rotor position inspection 54) and can be advanced by this toward the rotor in the first direction.

As to claim 7, Takagi et al disclose (figs 1, 2) measuring device according to claim 6, wherein a controller (55) which uses the first runout sensor (53) as a spacing sensor during the advancement of the same toward the rotor is provided for activating the first sensor advancing unit.

As to claim 8, Takagi et al disclose (figs 1, 2) measuring device according to claim 7, wherein the controller (55, 54) advances the first runout sensor (53) with the rotor rotating.

As to claims 9, 37, Takagi et al disclose (figs 1, 2) measuring device according to claim 1, wherein the second runout sensor (48, 49) is mounted on a second sensor (48, 49) advancing unit (throughout 58, 56, 55) and can be advanced by this toward the rotor in the second direction.

As to claim 10, Takagi et al disclose (figs 1, 2) measuring device according to claim 6, wherein a controller (55) which uses the second runout sensor (48, 49) as a

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spacing sensor during the advancement of the same toward the rotor is provided for activating the second sensor advancing unit.

As to claim 11, Takagi et al disclose (figs 1, 2) measuring device according to claim 7, wherein the controller (55, 58, 56) advances the second runout sensor (48, 49) with the rotor rotating.

As to claim 13, Takagi et al disclose (figs 1, 2) measuring device according to claim 12, wherein the ascertainment of the individual rotational positions is performed by synchronization of a trigger signal for the runout measurement by the respective runout measuring device with the rotational movement of the rotor.

As to claim 14, 40, Takagi et al disclose (figs 1, 2) measuring device according to claim 13, wherein the synchronization of the runout measurement with the rotational movement of the rotor is performed by the respective runout measuring device without any markings.

As to claim 15, Takagi et al disclose (figs 1, 2) Measuring device according to claim 14, wherein the synchronization of the runout measurement with the rotational movement of the rotor is performed by sensing the variation over time of the voltage at an electrical terminal of the electric motor by means of a voltage sensing circuit.

As to claims 16 – 18, 38, 39, Takagi et al disclose (figs 1, 2) Measuring device according to claim 15, wherein the voltage sensing circuit senses zero crossings of the voltage at the one electrical terminal of the electric motor.

As to claims 19 – 23, 41 – 48, Takagi et al disclose (figs 1, 2) Measuring device according claim 12, wherein a measured-value acquisition, which acquires the measured values for each individual rotational position that are measured by the respective runout sensor (53 or 48, 49), is provided.

As to claims 24, 25, 49, 50, Takagi et al disclose (figs 1, 2) Measuring device according to claim 1, wherein the time-dependently ascertained measured values for the runout are Fourier-transformed by a computer (55) and in that a frequency spectrum resulting from this is evaluated.

As to claims 27 - 32, 51 – 57, Takagi et al disclose (figs 1, 2) Measuring device according to claim 26, wherein the voltage induction measuring device is connected to the windings via a switching unit (or controller 55) and in that the switching unit can be switched in such a way that the induced voltage can be measured directly after energizing of the electric motor is switched off.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy Nguyen whose telephone number is 571-272-1965. The examiner can normally be reached on M - F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ramtez Nestor, can be reached on 571 - 272 -1965. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jimmy Nguyen

11/10/2005


VINH NGUYEN
PRIMARY EXAMINER
A-4-2829
11/14/05